

COVINGTON & BURLING

1201 PENNSYLVANIA AVENUE NW WASHINGTON, DC
WASHINGTON, DC 20004-2401 NEW YORK
TEL 202.662.6000 LONDON
FAX 202.662.6291 BRUSSELS
WWW.COV.COM SAN FRANCISCO

JENNIFER A. JOHNSON
TEL 202.662.5552
FAX 202.778.5552
JJOHNSON@COV.COM

August 15, 2005

FILED ELECTRONICALLY

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, DC 20554

**Re: DTV Channel Election: First Round Conflict Decision
File No. BFRCT-20050815ACC**

**Raycom America License Subsidiary, LLC
WTVM-DT, Columbus, GA (Facility ID 595)**

MB Docket No. 03-15

Dear Ms. Dortch:

Raycom Media, Inc., on behalf of its wholly-owned subsidiary, Raycom America License Subsidiary, LLC, licensee of WTVM-TV and WTVM-DT, Columbus, Georgia ("WTVM"), has executed the attached Negotiated Conflict Resolution and Interference Agreement with Georgia Public Telecommunications Commission, licensee of WACS-TV and permittee of WACS-DT, Dawson, Georgia ("WACS"). Since WTVM and WACS executed that agreement, the Commission issued a Public Notice (DA-05-2233) suggesting that it would consider cumulative interference as well as station-to-station interference in deciding whether to grant a station's First Round election when such election would create more than 0.1% interference to another station's elected channel. Accordingly, WTVM has decided to change its operating parameters to reduce interference to WACS to below 0.1%. A completed Schedule B reflecting that reduction was submitted with WTVM's Form 383 Decision (BFRCT-20050815ACC). Nevertheless, out of an abundance of caution, WTVM is submitting herewith the interference consent negotiated with WACS.

A copy of this letter and the agreement is being sent to Nazifa Sawez via e-mail and First Class U.S. mail.

Respectfully submitted,



Jennifer A. Johnson
Counsel for Raycom Media, Inc. and Raycom
America License Subsidiary, LLC

Attachment

NEGOTIATED CONFLICT RESOLUTION AND INTERFERENCE AGREEMENT

This Negotiated Conflict Resolution and Interference Agreement ("Agreement") is entered into pursuant to the *Report and Order* in the *Second Periodic Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television*, MB Docket No. 03-15, FCC 04-192, released by the Federal Communications Commission ("FCC") on Sept. 7, 2004. Parties to this Arrangement are Raycom Media, Inc., on behalf of its wholly-owned subsidiary, Raycom America License Subsidiary, LLC (collectively, "Raycom") and Georgia Public Telecommunications Commission ("Georgia Public"). Raycom is the licensee of WTVM(TV) and WTVM-DT, Columbus, GA ("WTVM"). Georgia Public is the licensee and permittee, respectively, of WACS-TV and WACS-DT, Dawson, GA ("WACS").

Raycom currently holds FCC authorizations to transmit WTVM's analog signal on channel 9 and its DTV signal on channel 47. In the FCC Form 382, Raycom indicated an election of channel 9 for WTVM's post-DTV transition operation.

Georgia Public currently holds FCC authorizations to transmit WACS' analog signal on channel 25 and its DTV signal on channel 8. In the FCC Form 382, Georgia Public indicated an election of channel 8 for WACS' post-DTV transition operation.

On June 7, 2005, the FCC sent a letter to Raycom stating that WTVM's proposed post-DTV transition operation on channel 9 would create 11.0 percent impermissible interference to WACS' elected DTV channel 8. The letter further states that Raycom may resolve this channel election interference conflict by, among other options "negotiating a conflict resolution agreement with the station(s) with which [WTVM is] in conflict" or "reducing [WTVM's] operating facilities to eliminate interference."

Raycom has concluded that by making certain reductions in the operating facilities of WTVM, the interference to WACS will decrease such that only 7.4 percent of WACS' baseline service population will be affected. Raycom will provide information concerning this reduction in facilities in Schedule B of WTVM's FCC Form 383 First Round Conflict Decision Form.

In the post-transition environment, Georgia Public may wish to make certain changes to WACS' operating parameters that could result in interference to 7.4 percent of WTVM's baseline service population.

To further an orderly DTV channel election process and serve the public's interest in access to over-the-air DTV services following the conclusion of the DTV transition, the parties agree as follows:

First, Georgia Public consents to Raycom's election of channel 9 for WTVM's post-transition operation and resulting interference to 7.4 percent of WACS' baseline service population.

Second, Raycom consents to the future creation of interference by WACS to 7.4 percent of WTVM's baseline service population.

This Arrangement may be executed in one or more counterparts, each of which will be deemed an original, but all of which together will constitute one and the same instrument.

RAYCOM MEDIA, INC.

By: Rebecca S. Bryan

Name: Rebecca S. Bryan

Title: Vice President/General Counsel

Date: August 2, 2005

GEORGIA PUBLIC

TELECOMMUNICATIONS COMMISSION

By: Nancy G. Hall

Name: **Nancy G. Hall**

Title: **Interim Executive Director**

Date: **August 8, 2005**